

§ 210. Uniform, belts and arms; Capitol Police

The Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives shall select and regulate the pattern for a uniform for the Capitol police and watchmen, and furnish each member of the force with the necessary belts and arms, payable out of the contingent fund of the Senate and House of Representatives upon the certificate of the officers above named. Such arms so furnished shall be carried by each officer and member of the Capitol Police, while in the Capitol Buildings (as defined in section 193m(1) of this title), and while within or outside of the boundaries of the United States Capitol Grounds (as defined in section 193a of this title), in such manner and at such times as the Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives may, by regulations, prescribe.

(R.S. § 1824; Pub. L. 92-607, ch. V, § 507, Oct. 31, 1972, 86 Stat. 1508; Pub. L. 95-26, title I, § 112, May 4, 1977, 91 Stat. 87.)

CODIFICATION

R.S. § 1824 derived from act Mar. 30, 1867, ch. 20, § 1, 15 Stat. 11.

AMENDMENTS

1977—Pub. L. 95-26 struck out “at a cost not to exceed twenty dollars per man,” after “furnish each member of the force with the necessary belts and arms.”

1972—Pub. L. 92-607 directed that the arms be carried in the Capitol Buildings and within and without the boundaries of the United States Capitol Grounds according to regulations prescribed by the Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives.

§ 210a. Uniforms to display United States flag or colors

(a) The uniform of officers and members of the United States Park Police force, the United States Secret Service Uniformed Division, the Capitol Police, and the Metropolitan Police force of the District of Columbia shall bear a distinctive patch, pin, or other emblem depicting the flag of the United States or the colors thereof.

(b) The Secretary of the Interior in the case of the United States Park Police force, the Secretary of the Treasury in the case of the United States Secret Service Uniformed Division, the Capitol Police Board in the case of the Capitol Police, and the Mayor of the District of Columbia in the case of the Metropolitan Police force shall prescribe such regulations as may be necessary to carry out the purposes of this section.

(Pub. L. 91-297, title II, § 201(a), (b), June 30, 1970, 84 Stat. 357; Pub. L. 93-198, title IV, § 421, Dec. 24, 1973, 87 Stat. 789; Pub. L. 95-179, Nov. 15, 1977, 91 Stat. 1371.)

CODIFICATION

Section is also set out in D.C. Code, § 4-127.

AMENDMENTS

1977—Pub. L. 95-179 substituted “United States Secret Service Uniformed Division” for “Executive Protective Service” wherever appearing.

EFFECTIVE DATE

Section 201(c) of Pub. L. 91-297 provided that: “This section [enacting this section] shall take effect one

hundred and eighty days after the date of enactment of this title [June 30, 1970].”

TRANSFER OF FUNCTIONS

Office of Commissioner of District of Columbia, as established by Reorg. Plan No. 3 of 1967, abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, and replaced by office of Mayor of District of Columbia by section 421 of Pub. L. 93-198, classified to section 1-241 of the District of Columbia Code. Accordingly, “Mayor” substituted in text for “commissioner”.

§ 211. Uniform; at whose expense; Capitol Police

The members of the Capitol police shall furnish, at their own expense, each his own uniform, which shall be in exact conformity to that required by regulation of the Sergeants at Arms.

(R.S. § 1825.)

CODIFICATION

R.S. § 1825 derived from act July 20, 1868, ch. 176, § 1, 15 Stat. 94.

§ 212. Wearing uniform on duty; Capitol Police

The officers, privates, and watchmen of the Capitol police shall, when on duty, wear the regulation uniform.

(Mar. 18, 1904, ch. 716, § 1, 33 Stat. 89.)

CODIFICATION

The text of this section was taken from act Mar. 18, 1904, popularly known as the “Legislative, Executive and Judicial Appropriation Act for the fiscal year ending June 30, 1905”. Similar provisions were contained in the following prior appropriation acts:

Feb. 25, 1903, ch. 755, § 1, 32 Stat. 857.

Mar. 3, 1901, ch. 830, § 1, 31 Stat. 963.

§ 212a. Policing of Capitol Buildings and Grounds; powers of Capitol Police; arrests by Capitol Police for crimes of violence; arrests by District of Columbia police

The Capitol Police shall police the United States Capitol Buildings and Grounds under the direction of the Capitol Police Board, consisting of the Sergeant at Arms of the United States Senate, the Sergeant at Arms of the House of Representatives, and the Architect of the Capitol, and shall have the power to enforce the provisions of sections 193a to 193m, 212a, 212a-2, and 212b of this title¹ and regulations promulgated under section 212b of this title, and to make arrests within the United States Capitol Buildings and Grounds for any violations of any law of the United States, of the District of Columbia, or of any State, or any regulation promulgated pursuant thereto: *Provided*, That for the fiscal year for which appropriations are made by this Act the Capitol Police shall have the additional authority to make arrests within the District of Columbia for crimes of violence, as defined in section 16 of title 18, committed within the Capitol Buildings and Grounds and shall have the additional authority to make arrests, without a warrant, for crimes of violence, as defined in section 16 of title 18, committed in the presence of any member of the Capitol Police performing

¹ So in original. Citation probably should include references to sections 207a and 212a-3.

official duties: *Provided further*, That the Metropolitan Police force of the District of Columbia are authorized to make arrests within the United States Capitol Buildings and Grounds for any violation of any such laws or regulations, but such authority shall not be construed as authorizing the Metropolitan Police force, except with the consent or upon the request of the Capitol Police Board, to enter such buildings to make arrests in response to complaints or to serve warrants or to patrol the United States Capitol Buildings and Grounds. For the purpose of this section, the word “grounds” shall include the House Office Buildings parking areas and that part or parts of property which have been or hereafter are acquired in the District of Columbia by the Architect of the Capitol, or by an officer of the Senate or the House, by lease, purchase, intergovernment transfer, or otherwise, for the use of the Senate, the House, or the Architect of the Capitol.

(July 31, 1946, ch. 707, § 9, 60 Stat. 719; Pub. L. 93-198, title VII, § 739(g)(4), (5), Dec. 24, 1973, 87 Stat. 829; Pub. L. 101-520, title I, § 106, formerly § 106(a), Nov. 5, 1990, 104 Stat. 2264, renumbered § 106 and amended Pub. L. 102-392, title III, § 310, Oct. 6, 1992, 106 Stat. 1723; Pub. L. 102-397, title I, § 103, Oct. 6, 1992, 106 Stat. 1950.)

REFERENCES IN TEXT

This Act, referred to in text, probably means Pub. L. 101-520, Nov. 5, 1990, 104 Stat. 2254, known as the Legislative Branch Appropriations Act, 1991, which amended this section generally. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section is also set out in D.C. Code, § 9-115.

AMENDMENTS

1992—Pub. L. 102-392 and Pub. L. 102-397 amended directory language of Pub. L. 101-520 identically. See 1990 Amendment note below.

1990—Pub. L. 101-520, as amended by Pub. L. 102-392 and Pub. L. 102-397, amended section generally. Prior to amendment, section read as follows: “The Capitol Police shall police the United States Capitol Buildings and Grounds under the direction of the Capitol Police Board, consisting of the Sergeant at Arms of the United States Senate, the Sergeant at Arms of the House of Representatives, and the Architect of the Capitol, and shall have the power to enforce the provisions of sections 193a to 193m, 212a, 212a-2, and 212b of this title and regulations promulgated under section 212b of this title, and to make arrests within the United States Capitol Buildings and Grounds for any violations of any law of the United States, of the District of Columbia, or of any State, or any regulation promulgated pursuant thereto: *Provided*, That the Metropolitan Police force of the District of Columbia are authorized to make arrests within the United States Capitol Buildings and Grounds for any violations of any such laws or regulations, but such authority shall not be construed as authorizing the Metropolitan Police force, except with the consent or upon the request of the Capitol Police Board, to enter such buildings to make arrests in response to complaints or to serve warrants or to patrol the United States Capitol Buildings and Grounds. For the purpose of this section, the word ‘grounds’ shall include the House Office Building parking area.”

1973—Pub. L. 93-198 inserted reference to violations of any law of the District of Columbia and struck out “, with the exception of the streets and roadways shown on the map referred to in section 193a of this title as being under the jurisdiction and control of the

Commissioners of the District of Columbia” after “or to patrol the United States Capitol Buildings and Grounds”.

EFFECTIVE DATE OF 1992 AMENDMENTS

Section 103 of Pub. L. 102-397 provided that the amendment made by that section is effective Nov. 5, 1990.

Section 310 of Pub. L. 102-392 provided that the amendment made by that section is effective Nov. 5, 1990.

EFFECTIVE DATE OF 1973 AMENDMENT

Section 771 of Pub. L. 93-198 provided that the amendment made by Pub. L. 93-198 is effective on Jan. 2, 1975, if a majority of the registered qualified electors in the District of Columbia voting on the charter issue in the charter referendum accepted the charter set out in title IV of Pub. L. 93-198, Dec. 24, 1973, 87 Stat. 785. The charter was approved by the voters on May 7, 1974.

JURISDICTION OF UNITED STATES CAPITOL POLICE OVER TEMPORARY PARKING AREAS DURING CONSTRUCTION OF JUDICIARY ANNEX BUILDING

Pub. L. 101-302, title III, § 313, May 25, 1990, 104 Stat. 245, provided that:

“(a) The supervision and jurisdiction of the United States Capitol Police shall extend over any area with respect to which the Architect of the Capitol has contracted, or otherwise entered into an agreement, for parking space in the Union Station parking garage to accommodate personnel of the United States Senate whose parking privileges have been affected by the construction of the Judiciary Annex Building, and over any area and streets necessary to carry out such supervision and to travel between such parking area and the United States Capitol Grounds.

“(b) In carrying out such supervision, the United States Capitol Police shall have, within any such area or street, jurisdiction, concurrent with that of the Metropolitan Police of the District of Columbia, to provide security for such personnel and property of such personnel and of the United States Senate within such area or street, and to make arrests for the violation of the laws and regulations of the United States and the District of Columbia.

“(c) The provisions of subsections (a) and (b) shall be effective only during the period that there is in effect a contract or other agreement as referred to in subsection (a).”

EXTENSION OF UNITED STATES CAPITOL POLICE SUPERVISION

Pub. L. 95-175, Nov. 14, 1977, 91 Stat. 1362, provided: “That the supervision of the United States Capitol Police shall extend over that part or parts of the premises located at 600 Pennsylvania Avenue, Southeast, Washington, District of Columbia, leased by the Office of Technology Assessment. In carrying out such supervision, the United States Capitol Police shall have within such part or parts jurisdiction, concurrent with that of the Metropolitan Police of the District of Columbia, to provide security for the personnel and property of the Office of Technology Assessment within such leased premises, and to make arrest therein for the violation of the laws and regulations of the United States and the District of Columbia.”

POLICE MOTOR VEHICLES USED BY INSTRUCTOR PERSONNEL WHILE ON ASSIGNMENT TO FEDERAL LAW ENFORCEMENT TRAINING CENTER

Pub. L. 95-26, title I, § 113, May 4, 1977, 91 Stat. 87, provided that: “The Chairman of the Capitol Police Board is authorized, subject to such conditions as he may impose, to authorize the assignment of a police motor vehicle for use by instructor personnel of the Capitol Police Force while assigned to the Federal Law Enforcement Training Center.”

CROSS REFERENCES

Definition of Capitol buildings, see section 193m of this title.

Sergeants at Arms of Senate and House of Representatives, power to arrest and detain persons violating certain regulations, see section 193 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 136, 174b-1, 184a, 193h, 193i, 193l, 193m of this title.

§ 212a-1. Capitol Grounds and Library of Congress Grounds; detail of police

The Capitol Police Board is authorized to detail police from the House Office, Senate Office, and Capitol Buildings for police duty on the Capitol Grounds and on the Library of Congress Grounds.

(Pub. L. 96-432, § 5, Oct. 10, 1980, 94 Stat. 1853.)

CODIFICATION

Provisions of this section were enacted as permanent law in Pub. L. 96-432. Similar fiscal year provisions were contained in the following appropriation acts and have not been repeated since 1983:

Pub. L. 98-51, title I, § 112, July 14, 1983, 97 Stat. 271.
 Pub. L. 97-276, § 101(e) [S. 2939, title I], Oct. 2, 1982, 96 Stat. 1189.
 Pub. L. 97-51, § 101(c) [H.R. 4120, title I], Oct. 1, 1981, 95 Stat. 959.
 Pub. L. 96-536, § 101(c) [H.R. 7593, title I], Dec. 16, 1980, 94 Stat. 3167.
 Pub. L. 95-391, title I, Sept. 30, 1978, 92 Stat. 780.
 Pub. L. 95-94, title I, Aug. 5, 1977, 91 Stat. 671.
 Pub. L. 94-440, title III, Oct. 1, 1976, 90 Stat. 1451.
 Pub. L. 94-59, title III, July 25, 1975, 89 Stat. 285.
 Pub. L. 93-371, Aug. 13, 1974, 88 Stat. 436.
 Pub. L. 93-145, Nov. 1, 1973, 87 Stat. 539.
 Pub. L. 92-342, July 10, 1972, 86 Stat. 441.
 Pub. L. 92-51, July 9, 1971, 85 Stat. 136.
 Pub. L. 91-382, Aug. 18, 1970, 84 Stat. 817.
 Pub. L. 91-145, Dec. 12, 1969, 83 Stat. 350.
 Pub. L. 90-417, July 23, 1968, 82 Stat. 406.
 Pub. L. 90-57, July 28, 1967, 81 Stat. 135.
 Pub. L. 89-545, Aug. 27, 1966, 80 Stat. 363.
 Pub. L. 89-90, July 27, 1965, 79 Stat. 275.
 Pub. L. 88-454, Aug. 20, 1964, 78 Stat. 544.
 Pub. L. 88-248, Dec. 30, 1963, 77 Stat. 811.
 Pub. L. 87-730, § 104, Oct. 2, 1962, 76 Stat. 694.
 Pub. L. 87-130, § 104, Aug. 10, 1961, 75 Stat. 334.
 Pub. L. 86-628, § 104, July 12, 1960, 74 Stat. 460.
 Pub. L. 86-176, § 104, Aug. 21, 1959, 73 Stat. 412.
 Pub. L. 85-570, § 104, July 31, 1958, 72 Stat. 453.
 Pub. L. 85-75, § 104, July 1, 1957, 71 Stat. 256.
 June 27, 1956, ch. 453, § 104, 70 Stat. 370.
 Aug. 5, 1955, ch. 568, § 104, 69 Stat. 520.
 July 2, 1954, ch. 455, title I, § 104, 68 Stat. 409.
 Aug. 1, 1953, ch. 304, title I, § 106, 67 Stat. 332.
 July 9, 1952, ch. 598, § 106, 66 Stat. 478.
 Oct. 11, 1951, ch. 485, § 106, 65 Stat. 403.
 Sept. 6, 1950, ch. 896, § 106, 64 Stat. 608.
 June 22, 1949, ch. 235, § 106, 63 Stat. 230.
 June 14, 1948, ch. 467, § 106, 62 Stat. 437.
 July 17, 1947, ch. 262, § 106, 61 Stat. 377.
 July 1, 1946, ch. 530, § 106, 60 Stat. 408.
 June 13, 1945, ch. 189, § 106, 59 Stat. 259.
 June 26, 1944, ch. 277, title I, § 105, 58 Stat. 354.
 June 28, 1943, ch. 173, title I, 57 Stat. 230.
 June 8, 1942, ch. 396, 56 Stat. 340.
 July 1, 1941, ch. 268, 55 Stat. 456.
 June 18, 1940, ch. 396, 54 Stat. 471.
 June 16, 1939, ch. 208, 53 Stat. 831.
 May 17, 1938, ch. 236, 52 Stat. 390.

§ 212a-2. Protection of Members of Congress, officers of Congress, and members of their families**(a) Authority of the Capitol Police**

Subject to the direction of the Capitol Police Board, the United States Capitol Police is au-

thorized to protect, in any area of the United States, the person of any Member of Congress, officer of the Congress, as defined in section 60-1(b) of title 2, and any member of the immediate family of any such Member or officer, if the Capitol Police Board determines such protection to be necessary.

(b) Detail of police

In carrying out its authority under this section, the Capitol Police Board, or its designee, is authorized, in accordance with regulations issued by the Board pursuant to this section, to detail, on a case-by-case basis, members of the United States Capitol Police to provide such protection as the Board may determine necessary under this section.

(c) Arrest of suspects

In the performance of their protective duties under this section, members of the United States Capitol Police are authorized (1) to make arrests without warrant for any offense against the United States committed in their presence, or for any felony cognizable under the laws of the United States if they have reasonable grounds to believe that the person to be arrested has committed or is committing such felony; and (2) to utilize equipment and property of the Capitol Police.

(d) Fines and penalties

Whoever knowingly and willfully obstructs, resists, or interferes with a member of the Capitol Police engaged in the performance of the protective functions authorized by this section, shall be fined not more than \$300 or imprisoned not more than one year, or both.

(e) Construction of provisions

Nothing contained in this section shall be construed to imply that the authority, duty, and function conferred on the Capitol Police Board and the United States Capitol Police are in lieu of or intended to supersede any authority, duty, or function imposed on any Federal department, agency, bureau, or other entity, or the Metropolitan Police of the District of Columbia, involving the protection of any such Member, officer, or family member.

(f) "United States" defined

As used in this section, the term "United States" means each of the several States of the United States, the District of Columbia, and territories and possessions of the United States.

(July 31, 1946, ch. 707, § 9A, as added Pub. L. 97-143, § 1(a), Dec. 29, 1981, 95 Stat. 1723.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 136, 174b-1, 184a, 193h, 193i, 193k, 193l, 193m, 212a of this title.

§ 212a-3. Law enforcement authority of Capitol Police**(a) Scope**

Subject to such regulations as may be prescribed by the Capitol Police Board and approved by the Committee on House Oversight of the House of Representatives and the Committee on Rules and Administration of the Senate, a member of the Capitol Police shall have au-